

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

CASSANDRA B. CHARLES,

Plaintiff,

v.

U.S. OFFICE OF PERSONNEL
MANAGEMENT, et al.,

Defendants.

No. 2:23-cv-02200-DAD-AC (PS)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
THIS ACTION

(Doc. No. 8)

Plaintiff Cassandra B. Charles, proceeding *pro se* and *in forma pauperis*, initiated this civil action on October 4, 2023. (Doc. No. 1.) This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On November 15, 2023, the assigned magistrate judge screened plaintiff's first amended complaint and concluded that plaintiff had failed to state any cognizable claims upon which relief can be granted. (Doc. No. 5.) Indeed, the magistrate judge noted that plaintiff's first amended complaint did not identify any causes of action whatsoever and did not properly identify any specific defendants. (*Id.* at 3–4.) Plaintiff was granted a final opportunity to amend her allegations and file a second amended complaint. (*Id.* at 5.) Because plaintiff did not file a second amended complaint as directed, on December 19, 2023, the magistrate judge issued an order to plaintiff to show cause why this action should not be dismissed due to plaintiff's failure to prosecute. (Doc. No. 6.) On December 28, 2023, plaintiff filed a response to the order to show

1 cause, stating “[b]ecause I stand firm on my original complaint, (with no disrespect) there is
2 nothing for me to amend.” (Doc. No. 7.)

3 Consequently, on January 4, 2024, the assigned magistrate judge issued findings and
4 recommendation recommending that this action be dismissed, with prejudice, because plaintiff’s
5 operative first amended complaint fails to state a cognizable claim. (Doc. No. 8.) The pending
6 findings and recommendations were served on plaintiff and contained notice that any objections
7 thereto were to be filed within twenty-one (21) days after service. (*Id.* at 4.) On January 12,
8 2024, plaintiff filed objections to the pending findings and recommendations. (Doc. No. 9.)

9 In her one-sentence objection, plaintiff does not substantively address the findings and
10 recommendations. Rather, plaintiff merely states that she “object[s] to the dismissal of this case.”
11 (*Id.*) Plaintiff’s objection simply provide no basis upon which to reject the pending findings and
12 recommendations.

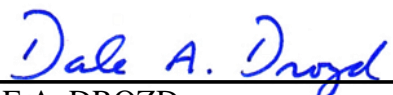
13 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
14 *de novo* review of the case. Having carefully reviewed the entire file, including plaintiff’s
15 objection, the court concludes that the findings and recommendations are supported by the record
16 and by proper analysis.

17 Accordingly:

- 18 1. The findings and recommendations issued on January 4, 2024 (Doc. No. 8) are
19 adopted in full;
- 20 2. This action is dismissed due to plaintiff’s failure to state a cognizable claim for
21 relief; and
- 22 3. The Clerk of the Court is directed to close this case.

23 IT IS SO ORDERED.

24 Dated: January 30, 2024



DALE A. DROZD
UNITED STATES DISTRICT JUDGE